

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Mershaun M. Johnson,

Petitioner,

v.

Warden, Warren Correctional Institution,

Respondent.

Case No. 2:23-cv-792

Judge Michael H. Watson

Magistrate Judge Jolson


ORDER

On March 6, 2024, the magistrate judge issued a Report and Recommendation ("R&R"), recommending the Court: (1) deny with prejudice Petitioner's petition for a writ of habeas corpus, as time-barred under 28 U.S.C. § 2244(d); (2) not issue a certificate of appealability; and (3) certify pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith. R&R, ECF No. 9. The R&R notified Petitioner of his right to object to the recommendations therein and warned that a failure to timely object would forfeit rights on appeal. *Id.* at 10–11.

Even with the Prisoner Mailbox Rule, Petitioner's time to object has passed, and no objections were filed. Accordingly, the Court **ADOPTS** the R&R without conducting a de novo review, **DENIES WITH PREJUDICE** Petitioner's petition for a writ of habeas corpus, **DECLINES** to issue a certificate of appealability, and **CERTIFIES** that any appeal would not be taken in good faith.

The Clerk shall enter judgment for Respondent and terminate this case.

IT IS SO ORDERED.


**MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT**